

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROCKETFUEL BLOCKCHAIN COMPANY  
and ROCKETFUEL BLOCKCHAIN, INC.,

Plaintiffs,

-against-

ELLENOFF GROSSMAN & SCHOLE LLP,

Defendant.

21 Civ. 1764 (VEC)

**DEFENDANT'S NOTICE OF  
MOTION TO DISMISS  
THE SECOND AMENDED  
COMPLAINT**

**ORAL ARGUMENT  
REQUESTED**

**PLEASE TAKE NOTICE** that, pursuant to this Court's Memo Endorsement, dated June 23, 2021 (Docket No. 32), and upon the accompanying Declaration of Philip Touitou, dated July 14, 2021 and the exhibits annexed thereto, the Memorandum of Law, dated July 14, 2021 and submitted herewith, and all prior pleadings and proceedings in this action, Defendant Ellenoff Grossman & Schole LLP, by and through its undersigned counsel, Akerman LLP, hereby moves this Court before the Honorable Valerie Caproni at the Thurgood Marshall United States Courthouse for the Southern District of New York, 40 Foley Square, Courtroom 443, New York, New York 10007, for an Order granting dismissal, with prejudice, of the Second Amended Complaint filed by Plaintiffs Rocketfuel Blockchain Company and Rocketfuel Blockchain, Inc. (collectively "Plaintiffs"), pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, together with such other and further relief as this Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to this Court's Memo Endorsement,

Plaintiffs' response, if any, is due no later than August 13, 2021.

Dated: New York, NY  
July 14, 2021

Respectfully submitted,

AKERMAN LLP

*Philip Touitou*

By: \_\_\_\_\_

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